

Original ^{mhs}

United States District Court
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

RHONDA SHERMAN,

Plaintiff,

v.

CHRISTUS HEALTH ARK-LA-TEX D/B/A
ST. MICHAEL HEALTH SYSTEM,

Defendant.

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CASE NO. 5:11-CV-92

JURY VERDICT FORM

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QUESTION NO. 1: FMLA—Interference with Leave Rights

Do you find that Plaintiff Rhonda Sherman proved by a preponderance of the evidence that Defendant CHRISTUS Health Ark-La-Tex d/b/a St. Michael Health System interfered with Plaintiff's right to take leave under the FMLA?

Answer "Yes" (for Plaintiff) or "No" (for Defendant):

NO

Please proceed to Question No. 2.



QUESTION NO. 2: FMLA—Discrimination and Retaliation

Do you find that Plaintiff proved by a preponderance of the evidence that Defendant terminated Plaintiff's employment because of Plaintiff's FMLA-protected activity?

Answer "Yes" (for Plaintiff) or "No" (for Defendant):

_____ NO _____

Please proceed to Question No. 3.

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QUESTION NO. 3: ADA—Associational Discrimination

Do you find that Plaintiff proved by a preponderance of the evidence that Defendant terminated Plaintiff's employment because of Plaintiff's association with a disabled individual?

Answer "Yes" (for Plaintiff) or "No" (for Defendant):

NO

Please proceed to Question No. 4 **IF AND ONLY IF** you answered "Yes" to Question No. 3. If you answered "No" to Question No. 3, **DO NOT** answer any of the remaining questions. The jury foreperson should instead initial and date this verdict on the last page of this Jury Verdict Form.

QUESTION NO. 4: Compensatory Damages

What sum of money, do you find Plaintiff proved by a preponderance of the evidence, if paid now in cash, would fairly and reasonably compensate Plaintiff for compensatory damages (i.e. emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses), if any, you have found Defendant caused Plaintiff?

Answer in dollars and cents:

Please proceed to Question No. 5.

QUESTION NO. 5: Punitive Damages

Question 5a: Punitive Damages Determination

Do you find that Plaintiff proved by a preponderance of the evidence that she should be awarded punitive damages?

Answer "Yes" (for Plaintiff) or "No" (for Defendant):

Please proceed to Question 5b **IF AND ONLY IF** you answered "Yes" to Question No.5a. If you answered "No" to Question No. 5a, **DO NOT** answer the remaining question. The jury foreperson should instead initial and date this verdict on the last page of this Jury Verdict Form.

Question 5b: Punitive Damages Calculation

What sum of money, do you find Plaintiff proved by a preponderance of the evidence, should be assessed against Defendant as punitive damages?

Answer in dollars and cents:

The foreperson is requested to initial and date this document in the spaces provided below as the unanimous verdict of the jury.

9-18-12
DATE

JK
FOREPERSON'S INITIALS

MHS